

AO 440 (Rev. 04/08) Civil Summons

# UNITED STATES DISTRICT COURT

for the  
Northern District of California

24 Hour Fitness USA, Inc.,

Plaintiff

v.

Apex Stores, LLC,

Defendant

Civil Action No. CV 08-1681 **HRL**

## Summons in a Civil Action

To: *(Defendant's name and address)*

Apex Stores, LLC,  
100 Main Street  
Pawtucket, RI 02860

A lawsuit has been filed against you.

Within 20 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, whose name and address are:

Britt L. Anderson  
Manatt Phelps & Phillips  
1 Embarcadero Center, 30<sup>th</sup> Floor  
San Francisco, CA 94111

If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Richard W. Wieking

Name of clerk of court

Date: MAY 07 2008

**BRENDA TOLBERT**

Deputy clerk's signature